

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE: POLYURETHANE FOAM ANTITRUST
LITIGATION

MDL Docket No. 2196

Index No. 10-MD-2196(JZ)

Hon. Jack Zouhary

This document relates to:

Sealy Corporation, et al v. Carpenter Co., et al,
Case No: 1:11-pf-10007 (JZ) (N.D. Ohio)

**ORDER OF DISMISSAL, WITHOUT PREJUDICE, OF THE SEALY
PLAINTIFFS' CLAIMS AGAINST DEFENDANTS DOMFOAM AND VALLE FOAM**

This cause is before the Court pursuant to Rule 41, Fed.R.Civ.P., on the Stipulation of Plaintiffs Sealy Corporation, Select Comfort Corporation, National Bedding Company L.L.C. d/b/a Serta Mattress Company, Simmons Bedding Company, Tempur-Pedic International, Inc. and La-Z-Boy Incorporated (individually and collectively the "Sealy Plaintiffs") and Defendants Domfoam International Inc. ("Domfoam") and Valle Foam Industries (1995) Inc. ("Valle Foam") to dismiss, without prejudice, the Sealy Plaintiffs' claims against Defendants Domfoam and Valle Foam in the above-captioned case with each side bearing its own attorneys' fees and costs. The Court has considered the Stipulation, the record in the case, and being otherwise advised, it is

Ordered and Adjudged that the Stipulation for the dismissal without prejudice of the Sealy Plaintiffs' claims against Defendants Domfoam and Valle Foam in the above-captioned case with each side bearing its own attorneys' fees and costs be and the same is Accepted. Accordingly, it is

Ordered and Adjudged that the claims in the above-captioned case of Plaintiffs Sealy Corporation, Select Comfort Corporation, National Bedding Company L.L.C. d/b/a Serta Mattress

Company, Simmons Bedding Company, Tempur-Pedic International, Inc. and La-Z-Boy Incorporated against Defendant Domfoam International Inc. ("Domfoam") and Defendant Valle Foam Industries (1995) Inc. be and the same are Dismissed, Without Prejudice, with each side bearing its own attorneys' fees and costs. The Court retains jurisdiction of this matter for purposes of enforcing the settlement between the Sealy Plaintiffs and Defendants. This Order of dismissal, without prejudice, is without prejudice to the Sealy Plaintiffs' claims against any other Defendants or co-conspirators in the above-captioned case.

Done and Ordered in Chambers in Toledo, Ohio this 2nd day of April,
2012.

/s/ Jack Zouhary
United States District Judge

cc: Counsel of Record